

REMARKS

Applicant respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to the Final Office Action mailed on September 9, 2004. Claims 1-3 and 6-30 are rejected. In this amendment, claims 1, 24 and 28 have been amended. Claims 17-23, 26-27 and 29-30 have been canceled without prejudice.

Claims 1-3 and 6-30 are rejected under 35 U.S.C. § 102(e) as being anticipated by Tso, et al. (U.S. Patent No. 6,421,733, hereinafter "Tso"). As discussed below, the pending claims are patentable over the above references.

Tso discloses a system for transcoding data transmitted between computers. The system provides for invocation of transcode service providers based upon a predetermined selection criterion. A selection criterion may be changed by accessing a pop-up window that includes a hypertext link that may be selected by the user to download specialized client software, and a three-state switch having "ON," "OFF" and "AUTO" settings.

The Examiner asserts that the display of the pop-up window with the switch settings in Tso constitutes the display of a set of selectable data exchange modes in the presently claimed invention. However, in Tso, the pop-up window with the switch settings must be visible before the user presses the mouse button while the cursor is positioned inside a selectable area associated with a file reference. In addition, Tso doesn't teach or suggest automatically displaying a set of one or more selectable data exchange modes in the vicinity of the cursor upon detecting that a user has pressed a button of the cursor control device. For example, if the user in Tso wants to change a switch setting for a file being retrieved, the user must first make the pop-up window with the switch settings visible (for instance, by moving it on top of

the main content window), then select the desired setting from the visible choices in the pop-up window (e.g., the pop-up window with “ON”, “OFF” and “AUTO” choices), and then, after selecting the desired setting, the user can press and release the mouse button over a hyperlink in the pop-up window or in the main content window, requesting retrieval of the file. Furthermore, Tso does not teach or suggest automatically canceling the display of available switch settings once the user makes the selection. Instead, if the user in Tso wants to click on the link inside the area of the main content window covered by the pop-up window, the user must first cancel the display of the pop-up window (e.g., by moving the pop-up window behind the main content window).

It must be inferred from the disclosure of Tso that the user wishing to change a data exchange mode for a file to be retrieved has to perform the following operations:

- (1) an operation to cause a set of selectable data exchange modes to be displayed (by moving the pop-up window with “AUTO” and “ON” options on top of the main content window),
- (2) selection of a desired data exchange mode (by changing a switch setting),
- (3) an operation to cause the display of the data exchange modes to be canceled (by moving the pop-up window behind the main content window), and
- (4) a request to retrieve the desired file (by clicking on the link in the main content).

Such a large number of operations make frequent changes of data exchange modes inconvenient for the user.

In the presently claimed invention, in contrast, a set of selectable data exchange modes is automatically displayed after the user presses the button of the cursor control device while the cursor is inside a selectable area associated with a file reference. Furthermore, in the

presently claimed invention, the display of available data exchange modes is automatically canceled upon detecting that the user has released the button of the cursor control device after placing the cursor over a selected data exchange mode. Hence, the presently claimed invention provides a convenient mechanism for changing data exchange modes for requested documents while allowing the user to perform such a change for every new document request if desired.

Thus, Tso does not teach or suggest at least the features of the present invention that are included in the following language of claim 1:

...automatically displaying a set of one or more selectable data exchange modes in the vicinity of the cursor upon detecting that a user has pressed a button of a cursor control device while a cursor is inside a selectable area associated with a file reference; automatically canceling the display of the set upon detecting that the user has released the button of the cursor control device after placing the cursor over a data exchange mode selected by the user from the set; and issuing a request to retrieve data associated with the file reference in accordance with the selected data exchange mode.

Similar language is also included in independent claims 1, 24 and 28. Accordingly, claims 1, 24 and 28, and their corresponding dependent claims, are not anticipated by Tso.

Accordingly, Applicant respectfully requests the withdrawal of the rejections under 35 U.S.C. §§ 102(e) and submits that the pending claims are in condition for allowance. Applicant respectfully requests reconsideration of the application and allowance of the pending claims.

In view of the foregoing amendments and remarks, Applicants respectfully submit that the pending claims are in condition for allowance. Applicants respectfully request reconsideration of the application and allowance of the pending claims.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby


requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN LLP

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Marina Portnova
Attorney for Applicant
Registration No. 45,750

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300